

1 OPEN EXECUTIVE SESSION TO CONSIDER THE NOMINATIONS OF
2 LILY LAWRENCE BATCHELDER, TO BE ASSISTANT SECRETARY FOR
3 TAX POLICY, DEPARTMENT OF THE TREASURY; BENJAMIN HARRIS,
4 TO BE ASSISTANT SECRETARY FOR ECONOMIC POLICY,
5 DEPARTMENT OF THE TREASURY; J. NELLIE LIANG, TO BE UNDER
6 SECRETARY FOR DOMESTIC FINANCE, DEPARTMENT OF THE
7 TREASURY; AND JONATHAN DAVIDSON, TO BE DEPUTY UNDER
8 SECRETARY FOR LEGISLATIVE AFFAIRS, DEPARTMENT OF THE
9 TREASURY

10 WEDNESDAY, JUNE 9 AND THURSDAY, JUNE 10, 2021
11 U.S. Senate,
12 Committee on Finance,
13 Washington, DC.

14
15 The meeting was convened, pursuant to notice, at
16 10:08 a.m., Wednesday, June 9, 2021, via WebEx, in the
17 Dirksen Senate Office Building, Hon. Ron Wyden (chairman
18 of the committee) presiding.

19 Present: Senators Cardin, Brown, Casey, Whitehouse,
20 Hassan, Crapo, Grassley, Thune, Lankford, Daines, and
21 Young.

22 Also present: Democratic staff: Ursula Clausing,
23 Assistant to the Staff Director; Michael Evans,
24 Assistant to the Staff Director; and Joshua Sheinkman,
25 Staff Director. Republican staff: Gregg Richard, Staff

1 Director; and Jeffrey Wrase, Deputy Staff Director and
2 Chief Economist.

1 OPENING STATEMENT OF HON. RON WYDEN, A U.S. SENATOR FROM
2 OREGON, CHAIRMAN, COMMITTEE ON FINANCE

3

4 The Chairman. The Finance Committee will come to
5 order. I thank all my colleagues for being so punctual.
6 What we will do now is we will have some statements with
7 respect to the candidates, and then as soon as we have a
8 quorum, which we hope will be at 10:15, we will move to
9 vote. And I will keep mine very brief.

10 Lily Batchelder has been nominated to be Assistant
11 Secretary for Tax Policy. Jon Davidson is nominated to
12 be Deputy Under Secretary for Legislative Affairs. Ben
13 Harris is nominated to serve as Assistant Secretary for
14 Economic Policy. And Nellie Liang is nominated to serve
15 as Under Secretary for Domestic Finance.

16 Professor Batchelder is a well-known face around the
17 Finance Committee. For four years she served as Chief
18 Tax Counsel to former Chairman Max Baucus. Later she
19 became the Deputy Director of the National Economic
20 Council under President Obama. She is also the Robert
21 C. Koppel Family Professor of Taxation at NYU School of
22 Law. She is one of the leading experts when it comes to
23 crafting tax policies to give everybody in America a
24 chance to get ahead, and not just those at the top.

25 And I would just like to say, on a personal note,

1 when I was putting together the second comprehensive
2 bipartisan tax reform bill in this committee with
3 Senator Dan Coats, who sat at the time where our friend
4 from Oklahoma is sitting today. Lily Batchelder, when I
5 picked up the phone and said, Ms. Batchelder, what do we
6 need to do to get a bipartisan bill? She was always
7 there, and was very helpful in counsel. She gave me one
8 Senator Coats and I put together, a bipartisan bill.

9 Jon Davidson is a friend of the committee, having
10 served as Chief of Staff to Senator Bennet for a decade,
11 and in other roles in Congress. Mr. Davidson helped to
12 lead one of the most innovative policy efforts around
13 when it came to helping working families and the middle
14 class. He played a key role in helping the Biden
15 Administration hit the ground running.

16 Dr. Harris has been a key member of the Biden
17 economic team for quite some time in the face of the
18 worst economic crash in a century. He helped craft an
19 agenda based on bold, fresh ideas.

20 And Dr. Liang would be the first Senate-confirmed
21 Under Secretary for Domestic Finance since 2014. This
22 role is all about protecting our economy from downturns,
23 and maintaining stability. She has just the right
24 experience, having served at the Federal Reserve for
25 three decades, including as the first-ever Director of

1 the Division of Financial Stability when the position
2 was created after the Great Recession.

3 Colleagues, I will just tell you -- and then I am
4 going to yield to Senator Crapo and other colleagues as
5 we await a quorum -- I believe all four of these
6 nominees are very qualified. And my view is, they round
7 out an all-star economic leadership team at the Treasury
8 Department under Secretary Yellen and Deputy Secretary
9 Adeyemo.

10 We had a good hearing, really an excellent hearing,
11 with all four of them. I would urge colleagues, from my
12 perspective, to support all four. I look forward to our
13 discussion.

14 Senator Crapo?

1 OPENING STATEMENT OF HON. MIKE CRAPO, A U.S. SENATOR
2 FROM IDAHO

3
4 Senator Crapo. Thank you very much, Senator Wyden.
5 We are meeting today to consider four nominations to
6 important positions at the Treasury Department.

7 As I stated at the nomination hearing on May 25th,
8 Treasury has been given ever-widening authorities and
9 responsibilities over time. And with the increased
10 responsibility comes the need for transparency,
11 accountability, and responsiveness.

12 The Treasury Department is engaged in activities
13 which can have enormous impacts on the American economy,
14 on workers, on businesses, and even people's personal
15 checking and savings accounts.

16 These are proposals -- there are proposals and
17 negotiations to cede U.S. taxing rights to other
18 countries, premised partly on political rhetoric about
19 races to the bottom and taxing big corporations.

20 There are proposals and activities to create
21 stifling new reporting and regulatory requirements on
22 businesses under the guise of as-yet unknown and un-
23 measured climate risks. There are proposals to
24 massively increase the size and reach of the IRS,
25 including looking into checking and savings accounts of

1 almost every individual and business in this country.
2 With all of that in the works, we need assurance that
3 those in charge of Treasury will be responsive to
4 members of the Congress from both sides of the aisle.

5 I made it quite clear in the hearing with the four
6 Treasury nominees that transparency is important, and
7 that I expect detailed responses to questions that we
8 ask them. I intend to vote yes on the nomination of Mr.
9 Davidson who has responded adequately to questions that
10 I have asked him, and who seems to have a desire for
11 Treasury to be transparent.

12 I intend to vote "yes" on the nomination of Mr.
13 Harris, whose responses to my questions indicate that he
14 is willing to entertain and debate positions that may
15 differ from his own.

16 I also intend to vote "yes" on Ms. Batchelder and
17 Ms. Liang, but I have asked that they work with me to
18 improve their level of responsiveness to the questions I
19 have asked them, and responsiveness of the Treasury more
20 generally. And I have received firm assurances that
21 they will.

22 There are policy questions and views held by many
23 with different political positions at the Treasury
24 Department with which I disagree. Reasonable people can
25 disagree, but should always be willing to fully debate

1 and defend their views with data and reason. Evading
2 responsiveness does not help us to arrive at good
3 outcomes.

4 Most importantly, there is a need as often as
5 possible to arrive at bipartisan compromises and
6 policies that will stand the test of time.

7 Thank you for holding this hearing.

8 The Chairman. I thank my colleague for the way he
9 is concentrated on evaluating these nominees, and
10 particularly that point at the end. We recognize that
11 there are significant differences of opinion with
12 respect to policy, but there are certain things that we
13 expect -- and that is responsiveness to questions, and
14 our ability to really evaluate these issues. And it
15 always helps to try to find some common ground. So, I
16 appreciate my colleague's comments.

17 Let's go back and forth now, while we await a
18 quorum. Do any of my Democratic colleagues wish to
19 speak? We will just go back and forth. Senator Brown?
20 No? Any Democratic colleagues want to speak about the
21 nominees?

22 [No response.]

23 The Chairman. All right, any Republican colleagues
24 that want to speak? Senator Warren, let the record note
25 that senators are notorious for being shy.

1 [Laughter.]

2 The Chairman. All right, then, if we could, let's
3 see if we can have a brief recess. And I am talking
4 about --

5 Senator Whitehouse. Well, a minute, if we are
6 stalling for time --

7 The Chairman. We are, indeed. Just that.

8 Senator Whitehouse. May I just flag something that
9 we accomplished in bipartisan fashion with great
10 leadership from the Chairman and from Senator Crapo, who
11 is Chairman of Banking and made it happen. And that was
12 to get the beneficial ownership provisions to shine a
13 little bit of a spotlight into shell corporations in the
14 United States passed as part of the National Defense
15 Authorization Act. There are a lot of our colleagues
16 who worked on that, and I want to thank them. Senator
17 Brown in his leading role on Banking was essential to
18 this, as well. And Senator Grassley and Senator Graham
19 were leaders in the Judiciary Committee where it began.

20 So I think we had a really important victory there,
21 and I think it is really important that these Treasury
22 nominees see to it that the implementation of that
23 statute, the regulations that are developed, are well
24 coordinated with DOJ, well-coordinated in IRS, and
25 maximize the opportunity that passing that legislation

1 provides us to fight back against a world of kleptocracy
2 and criminality that too often finds refuge in our own
3 country behind shell corporations and with a small but
4 nasty industry of people who cater to those evil
5 dollars, if you don't mind my using --

6 The Chairman. My colleague did not mention himself,
7 by the way, and we want to thank you, Senator
8 Whitehouse, for your leadership too.

9 And Senator Crapo, and then Senator Brown.

10 Senator Crapo. I would just like to follow up on
11 that and acknowledge -- there are so many to thank this
12 effort. Senator Brown, Senator Whitehouse, and so many
13 others who were so engaged on this critical legislation.
14 And as they will all attest, this was a long haul. And
15 it did not come easily. But these beneficial ownership
16 provisions are critical to our ability to deal with so
17 many threats to our country right now, both domestic and
18 globally.

19 And I agree with Senator Whitehouse's comments that
20 we need to make sure that the Treasury Department
21 follows through on implementing this legislation
22 effectively and quickly.

23 The Chairman. Senator Brown?

24 Senator Brown. I thank you. I do not score -- we
25 do too much of this, but this is a case where it is

1 really earned, and I appreciate Senator Whitehouse's
2 work, and Senator Crapo saying this a number of times
3 when it did not look so good in the House. And there
4 were a couple of interest groups that pushed him hard on
5 the way he and I thought, and he really helped to rescue
6 it, as you did. And particularly a number of people on
7 this committee were on Banking and Housing last year,
8 and thanks for the work that they did.

9 And I would add that it is important that any of us
10 reach out to Treasury. And it meets, we think, the
11 first year of the numbers -- I do not have them in front
12 of me -- \$70 million, in succeeding years \$30 million,
13 to carry this out. And it is important we all talk to
14 people, both here and other people we know at Treasury,
15 to do the simplification rights. So I thank you for
16 raising that. It is helpful.

17 The Chairman. Senator Brown, thank you. And maybe
18 we can have something perhaps led by you and Senator
19 Crapo, and I would be glad to join, something that would
20 put as many of us on record as possible saying that that
21 money, and getting it immediately, is urgent business.

22 Senator Brown. We will follow up.

23 The Chairman. I think we are waiting for two more,
24 three. Are there others who wish to speak?

25 [No response.]

1 The Chairman. All right, why don't we take a recess
2 for five minutes.

3 Senator Whitehouse. Five minutes? Or five Senate
4 minutes?

5 The Chairman. Colleagues, we will make this five
6 real minutes, not Senate minutes. And if we do not get
7 this done in five real minutes, we will vote off the
8 floor during votes. Thank you all.

9 [Brief recess.]

10 The Chairman. Colleagues, we are one short, and it
11 does not look like the one we need is going to be able
12 to come, so we are going to do this set of votes on the
13 floor on the opportunity, and thank you all for being so
14 thoughtful, and that is how we will proceed.

15 [Whereupon, at 10:26 a.m., the meeting was
16 adjourned.]

1 The meeting was reconvened, pursuant to notice, on
2 Thursday, June 10, 2021, at 11:30 a.m., in the hallway
3 immediately outside Room S-216, The President's Room,
4 U.S. Capitol, Hon. Ron Wyden (chairman of the committee)
5 presiding.

6 Present: Senators Stabenow, Cantwell, Menendez,
7 Carper, Cardin, Brown, Bennet, Casey, Warner,
8 Whitehouse, Hassan, Cortez Masto, Warren, Crapo,
9 Grassley, Cornyn, Thune, Burr, Portman, Toomey, Scott,
10 Cassidy, Lankford, Daines, Young, Sasse, and Barrasso.

11 Also present: Democratic staff: Michael Evans,
12 Deputy Staff Director and Chief Counsel; and Joshua
13 Sheinkman, Staff Director. Republican staff: Jeffrey
14 Wrase, Deputy Staff Director and Chief Economist.

1 The Chairman. Today we continue the open executive
2 session from yesterday to consider four nominations in
3 the Department of the Treasury. The first nominee we
4 will consider is Lily Lawrence B, nominated to be an
5 Assistant Secretary of the Treasury.

6 I would entertain a motion to favorably report the
7 nomination of Ms. Batchelder.

8 Senator Crapo. So moved.

9 The Chairman. The clerk will call the roll.

10 The Clerk. Ms. Stabenow?

11 Senator Stabenow. Aye.

12 The Clerk. Ms. Cantwell?

13 Senator Cantwell. Aye.

14 The Clerk. Mr. Menendez?

15 Senator Menendez. Aye.

16 The Clerk. Mr. Carper?

17 Senator Carper. Aye.

18 The Clerk. Mr. Cardin?

19 Senator Cardin. Aye.

20 The Clerk. Mr. Brown?

21 Senator Brown. Aye.

22 The Clerk. Mr. Bennet?

1 Senator Bennet. Aye.
2 The Clerk. Mr. Casey?
3 Senator Casey. Aye.
4 The Clerk. Mr. Warner?
5 Senator Warner. Aye.
6 The Clerk. Mr. Whitehouse?
7 Senator Whitehouse. Aye.
8 The Clerk. Ms. Hassan?
9 Senator Hassan. Aye.
10 The Clerk. Ms. Cortez Masto?
11 Senator Cortez Masto. Aye.
12 The Clerk. Ms. Warren?
13 Senator Warren. Aye.
14 The Clerk. Mr. Crapo?
15 Senator Crapo. Aye.
16 The Clerk. Senator Grassley?
17 Senator Grassley. Aye.
18 The Clerk. Mr. Cornyn?
19 Senator Cornyn. Aye.
20 The Clerk. Mr. Thune?
21 Senator Thune. No.
22 The Clerk. Mr. Burr?

1 Senator Burr. No.

2 The Clerk. Mr. Portman?

3 Senator Portman. Aye.

4 The Clerk. Mr. Toomey?

5 Senator Toomey. Aye.

6 The Clerk. Mr. Scott?

7 Senator Scott. No.

8 The Clerk. Mr. Cassidy?

9 Senator Cassidy. Aye.

10 The Clerk. Mr. Lankford?

11 Senator Lankford. No.

12 The Clerk. Mr. Daines?

13 Senator Daines. Aye.

14 The Clerk. Mr. Young?

15 Senator Young. Aye.

16 The Clerk. Mr. Sasse?

17 Mr. Sasse. No.

18 The Clerk. Mr. Barrasso?

19 Senator Barrasso. No.

20 The Clerk. Mr. Chairman?

21 The Chairman. Aye.

22 The clerk will announce the vote.

1 The Clerk. Mr. Chairman, the final tally is 22
2 ayes, 6 nays.

3 The Chairman. The "ayes" have it. The
4 nomination is ordered favorably reported.

5 The next nomination is J. Nellie Liang to be an
6 Assistant Secretary of the Treasury. I would entertain
7 a motion to favorably report the nomination of Mr.
8 Liang.

9 Senator Crapo. So moved.

10 The Chairman. The clerk will call the roll.

11 The Clerk. Ms. Stabenow?

12 Senator Stabenow. Aye.

13 The Clerk. Ms. Cantwell?

14 Senator Cantwell. Aye.

15 The Clerk. Mr. Menendez?

16 Senator Menendez. Aye.

17 The Clerk. Mr. Carper?

18 Senator Carper. Aye.

19 The Clerk. Mr. Cardin?

20 Senator Cardin. Aye.

21 The Clerk. Mr. Brown?

22 Senator Brown. Aye.

1 The Clerk. Mr. Bennet?
2 Senator Bennet. Aye.
3 The Clerk. Mr. Casey?
4 Senator Casey. Aye.
5 The Clerk. Mr. Warner?
6 Senator Warner. Aye.
7 The Clerk. Mr. Whitehouse?
8 Senator Whitehouse. Aye.
9 The Clerk. Ms. Hassan?
10 Senator Hassan. Aye.
11 The Clerk. Ms. Cortez Masto?
12 Senator Cortez Masto. Aye.
13 The Clerk. Ms. Warren?
14 Senator Warren. Aye.
15 The Clerk. Mr. Crapo?
16 Senator Crapo. Aye.
17 The Clerk. Senator Grassley?
18 Senator Grassley. Aye.
19 The Clerk. Mr. Cornyn?
20 Senator Cornyn. Aye.
21 The Clerk. Mr. Thune?
22 Senator Thune. Aye.

1 The Clerk. Mr. Burr?
2 Senator Burr. Aye.
3 The Clerk. Mr. Portman?
4 Senator Portman. Aye.
5 The Clerk. Mr. Toomey?
6 Senator Toomey. Aye.
7 The Clerk. Mr. Scott?
8 Senator Scott. No.
9 The Clerk. Mr. Cassidy?
10 Senator Cassidy. Aye.
11 The Clerk. Mr. Lankford?
12 Senator Lankford. No.
13 The Clerk. Mr. Daines?
14 Senator Daines. Aye.
15 The Clerk. Mr. Young?
16 Senator Young. Aye.
17 The Clerk. Mr. Sasse?
18 Senator Sasse. No.
19 The Clerk. Mr. Barrasso?
20 Senator Barrasso. No.
21 The Clerk. Mr. Chairman?
22 The Chairman. Aye.

1 The clerk will announce the vote.

2 The Clerk. Mr. Chairman, the final tally is 24
3 ayes, 4 nays.

4 The Chairman. The "ayes" have it. The
5 nomination is ordered favorably reported.

6 The next nomination is Benjamin Harris to be an
7 Assistant Secretary of the Treasury. I would entertain
8 a motion to favorably report the nomination of Mr.
9 Harris.

10 Senator Crapo. So moved.

11 The Chairman. The clerk will call the roll.

12 The Clerk. Ms. Stabenow?

13 Senator Stabenow. Aye.

14 The Clerk. Ms. Cantwell?

15 Senator Cantwell. Aye.

16 The Clerk. Mr. Menendez?

17 Senator Menendez. Aye.

18 The Clerk. Mr. Carper?

19 Senator Carper. Aye.

20 The Clerk. Mr. Cardin?

21 Senator Cardin. Aye.

22 The Clerk. Mr. Brown?

1 Senator Brown. Aye.
2 The Clerk. Mr. Bennet?
3 Senator Bennet. Aye.
4 The Clerk. Mr. Casey?
5 Senator Casey. Aye.
6 The Clerk. Mr. Warner?
7 Senator Warner. Aye.
8 The Clerk. Mr. Whitehouse?
9 Senator Whitehouse. Aye.
10 The Clerk. Ms. Hassan?
11 Senator Hassan. Aye.
12 The Clerk. Ms. Cortez Masto?
13 Senator Cortez Masto. Aye.
14 The Clerk. Ms. Warren?
15 Senator Warren. Aye.
16 The Clerk. Mr. Crapo?
17 Senator Crapo. Aye.
18 The Clerk. Senator Grassley?
19 Senator Grassley. Aye.
20 The Clerk. Mr. Cornyn?
21 Senator Cornyn. Aye.
22 The Clerk. Mr. Thune?

1 Senator Thune. Aye.
2 The Clerk. Mr. Burr?
3 Senator Burr. Aye.
4 The Clerk. Mr. Portman?
5 Senator Portman. Aye.
6 The Clerk. Mr. Toomey?
7 Senator Toomey. Aye.
8 The Clerk. Mr. Scott?
9 Senator Scott. Aye.
10 The Clerk. Mr. Cassidy?
11 Senator Cassidy. Aye.
12 The Clerk. Mr. Lankford?
13 Senator Lankford. Aye.
14 The Clerk. Mr. Daines?
15 Senator Daines. Aye.
16 The Clerk. Mr. Young?
17 Senator Young. Aye.
18 The Clerk. Mr. Sasse?
19 Senator Sasse. Aye.
20 The Clerk. Mr. Barrasso?
21 Senator Barrasso. Aye.
22 The Clerk. Mr. Chairman?

1 The Chairman. Aye.

2 The clerk will announce the vote.

3 The Clerk. Mr. Chairman, the final tally is 28
4 ayes, 0 nays.

5 The Chairman. The "ayes" have it. The
6 nomination is ordered favorably reported.

7 Our final nomination we will consider is Jonathan
8 Davidson to be a Deputy Under Secretary of the
9 Treasury. I would entertain a motion to favorably
10 report the nomination of Mr. Davidson.

11 Senator Crapo. So moved.

12 The Chairman. The clerk will call the roll.

13 The Clerk. Ms. Stabenow?

14 Senator Stabenow. Aye.

15 The Clerk. Ms. Cantwell?

16 Senator Cantwell. Aye.

17 The Clerk. Mr. Menendez?

18 Senator Menendez. Aye.

19 The Clerk. Mr. Carper?

20 Senator Carper. Aye.

21 The Clerk. Mr. Cardin?

22 Senator Cardin. Aye.

1 The Clerk. Mr. Brown?
2 Senator Brown. Aye.
3 The Clerk. Mr. Bennet?
4 Senator Bennet. Aye.
5 The Clerk. Mr. Casey?
6 Senator Casey. Aye.
7 The Clerk. Mr. Warner?
8 Senator Warner. Aye.
9 The Clerk. Mr. Whitehouse?
10 Senator Whitehouse. Aye.
11 The Clerk. Ms. Hassan?
12 Senator Hassan. Aye.
13 The Clerk. Ms. Cortez Masto?
14 Senator Cortez Masto. Aye.
15 The Clerk. Ms. Warren?
16 Senator Warren. Aye.
17 The Clerk. Mr. Crapo?
18 Senator Crapo. Aye.
19 The Clerk. Senator Grassley?
20 Senator Grassley. Aye.
21 The Clerk. Mr. Cornyn?
22 Senator Cornyn. Aye.

1 The Clerk. Mr. Thune?
2 Senator Thune. Aye.
3 The Clerk. Mr. Burr?
4 Senator Burr. Aye.
5 The Clerk. Mr. Portman?
6 Senator Portman. Aye.
7 The Clerk. Mr. Toomey?
8 Senator Toomey. Aye.
9 The Clerk. Mr. Scott?
10 Senator Scott. Aye.
11 The Clerk. Mr. Cassidy?
12 Senator Cassidy. Aye.
13 The Clerk. Mr. Lankford?
14 Senator Lankford. Aye.
15 The Clerk. Mr. Daines?
16 Senator Daines. Aye.
17 The Clerk. Mr. Young?
18 Senator Young. Aye.
19 The Clerk. Mr. Sasse?
20 Senator Sasse. Aye.
21 The Clerk. Mr. Barrasso?
22 Senator Barrasso. Aye.

1 The Clerk. Mr. Chairman?

2 The Chairman. Aye.

3 The clerk will announce the vote.

4 The Clerk. Mr. Chairman, the final tally is 28
5 ayes, 0 nays.

6 The Chairman. The "ayes" have it. The
7 nomination is ordered favorably reported.

8 I thank my colleagues for their time. The
9 committee is adjourned.

10 [Whereupon, at 12:22 p.m., the meeting was
11 concluded.]

1	STATEMENT OF:	PAGE
2	Hon. Ron Wyden,	3
3	a U.S. Senator from Oregon,	
4	chairman, Committee on Finance	
5		
6	Hon. Mike Crapo,	6
7	a U.S. Senator from Idaho	